

FILED

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JUN 18 2014

CLERK, U.S. DISTRICT COURT
By _____ Deputy

UNITED STATES OF AMERICA

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vs.

NO. 4:14-CR-023-A

CHRISTOPHER ROBERT WEAST

O R D E R

Came on for consideration an application to proceed in forma pauperis, filed in the above action by defendant, CHRISTOPHER ROBERT WEAST. The application pertains to a notice of interlocutory appeal filed June 3, 2014, wherein defendant indicates his intent to appeal the court's denial of his verified motion to quash indictment/verified motion to dismiss indictment ("Verified Motion"). Having considered the application, the court concludes that it should be denied.

Pursuant to 28 U.S.C. § 1915(a)(3), leave to proceed in forma pauperis on appeal shall be denied if the district court certifies in writing that the appeal is not taken in good faith. A district court may certify that such a request is not taken in good faith by setting forth in writing the reasons for that determination. Baugh v. Taylor, 117 F.3d 197, 202 (5th Cir. 1997). A party demonstrates "good faith" by seeking appellate review of any non-frivolous issue. Coppedge v. United States,

369 U.S. 438, 445 (1962); Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983) (per curiam).

The Verified Motion, which is the subject of defendant's notice of appeal, states, in part, the following as the basis for dismissal of the indictment against him:

1. I am not "CHRISTOPHER ROBERT WEAST" as it is a "Juristic Person" also known as a "FICTIONAL ENTITY" and/or "CORPORATION" and this court must address me by my Lawful name.

2. The alleged indictment names "CHRISTOPHER ROBERT WEAST" as the alleged "DEFENDANT" which, as stated above, is a "JURISTIC PERSON", "FICTIONAL ENTITY", "CORPORATION", "CORPORATE PERSON", "CORPORATE ENTITY" and/or some form of "FICTIONAL CHARACTER" owned by the "UNITED STATES, Inc." and cannot be used to associate Christopher Robert Weast, the Human, Flesh and Blood Natural Person with "CHRISTOPHER ROBERT WEAST".

Verified Motion at 1. As the court stated in the May 23, 2014 order denying the Verified Motion, the motion is completely nonsensical and has no arguable basis in law or fact. See Neitzke v. Williams, 490 U.S. 319, 325 (1989). Hence, the motion presents no non-frivolous issue for review. Accordingly, the court certifies that defendant's appeal of the court's denial of the Verified Motion is not taken in good faith.¹

¹In the May 23, 2014 order denying the Verified Motion, the court also denied the following motions: motion to dismiss "case in error"; motion to quash indictment for improper grand jury procedures; motion to compel law enforcement officials to turn over and advise the prosecuting attorney of all information acquired during the course of investigation; and, motion to quash indictment. The other motions do not appear to be the subject of the notice of appeal. However, to the extent defendant intended to include the denial of these other motions in his notice of appeal, all are nonsensical, have no legal merit, and present no non-frivolous issues for review.

An additional reason for denial of the application is that defendant has failed to provide the information necessary for a determination of defendant's financial status. On the second page of the motion, defendant states he has "not received any lawful money from any . . . sources," and that he does not "own any lawful money accounts." These statements are meaningless and do not comprise an appropriate motion to proceed in forma pauperis.

Therefore,

The court ORDERS that defendant's application to proceed in forma pauperis on appeal be, and is hereby, denied.

SIGNED June 18, 2014.

JOHN McBRYDE
United States District Judge